

**MADISON ZONING BOARD OF ADJUSTMENTS  
MINUTES OF THE SEPTEMBER 5, 2013 REGULAR MEETING**

The City of Madison Zoning Board of Adjustment and Appeals held its regularly scheduled monthly meeting on September 5, 2013 at 5:30P.M. in the City Council Chambers of the Madison Municipal Complex located at 100 Hughes Road, Madison, Alabama. Board Chair Betty Fletcher called the meeting to order at 5:30 P.M. and attendance was as follows:

<b>Betty Fletcher, Chairperson</b>	<b>Present</b>
<b>Mary Hudson</b>	<b>Present</b>
<b>John Horch</b>	<b>Present</b>
<b>Christopher Lindsey</b>	<b>Present</b>
<b>Ted Whitney</b>	<b>Present</b>

**Supernumeraries**

<b>Wesley Alford</b>	<b>Present</b>
<b>Larry Mason</b>	<b>Present</b>

**City Staff Present:** Amy Bell, Director of Planning and Economic Development; Kelly Butler, City Attorney; Sherri Blair, Zoning Administrator and Board Secretary.

**Public Attendees (as registered):** Edward Jones; Roy Seay; Pastor Reginald Johnson.

Mrs. Fletcher read aloud: This Board is composed of five persons, with two supernumeraries, is empowered by the Alabama State Legislature, but appointed by the City Council, and charged with hearing petitions for relief from a literal and strict application of the Zoning Code. Cases are heard in the order in which they are filed. Motions are made in the positive and each case requires a positive vote of at least four members. (A simple majority will not approve an action). The burden of proof for Variances and Special Exceptions rests with the petitioner. Any party aggrieved by any decision of this Board may, within fifteen days, file a written notice of appeal to the Circuit Court.

**Approval of Minutes**

The first order of business was the approval of minutes from the June 6, 2013 Regular Meeting. Mrs. Fletcher asked board members for requested changes and/or corrections, if any. Board members requested no changes.

**Motion:** Dr. Horch moved to approve the minutes of the June 6, 2013 Regular Meeting, as written. Mr. Whitney seconded the motion and the vote was as follows:

**Betty Fletcher**  
**Mary Hudson**  
**John Horch**  
**Christopher Lindsey**  
**Ted Whitney**

**Aye**  
**Abstain**  
**Aye**  
**Aye**  
**Aye**

**Motion Carried.**

#### **Petitions and Formal Requests for Action**

1. Case #1094, 204 Browns Ferry Road - Calvin Holman, as agent for Little Shiloh Primitive Baptist Church; A request for a Special Exception to Section 4-2-2 of the City of Madison Zoning Ordinance, to allow a church or a similar place of worship in a residential area. The property is currently zoned Medium Density Residential (R-2). This request is in accordance with Section 10-8 of the Zoning Ordinance.

**Request:** Edward Jones, agent for the applicant, presented the request by stating: Little Shiloh Primitive Baptist Church acquired the property on Browns-Ferry Road in order to upgrade their facility and campus. There will be three (3) buildings on site; fellowship, education and sanctuary. Currently the church has 130 members but is hopeful that the membership will increase once they move to the new campus. The highest attendance and traffic is when there is a funeral. The new campus will provide the needed parking and space. Mr. Jones stated that Staff's recommendation is for a 20' landscape buffer. He requested board members consider a 10' buffer on the west and a 20' buffer on the east side, adjacent to the residential area. Director Bell stated that a landscape buffer would only be required around the parking area, not the entire parcel and that the members could give leeway on the west property line because there are no existing homes. Mr. Jones stated the church will comply with the remaining staff recommendations to require screening of the refuse container site; provide a lighting plan which demonstrates no trespass onto adjoining properties, a public street or into the night sky and that a ground sign must be masonry, monument-style with a maximum height of six (6) feet.

**Board Comments:** Dr. Horch expressed concerns about additional traffic on Sunday. Director Bell stated that the city's engineer was not concerned and did not believe there would be a noticeable impact.

**Public Comments:** No comment

**Staff Comments:** Board Secretary Sherri Blair stated she did not receive phone calls or correspondence from the public regarding this request prior to the meeting.

**Motion:** Mr. Lindsey moved to approve case number 1094, 204 Browns Ferry Road, Little Shiloh Primitive Baptist Church's request for a Special Exception to Section 4-2-2 of the City of Madison Zoning Ordinance, to allow a church or a similar place of worship in a residential area with the following contingencies:

1. Screening buffers, of not less than twenty (20) feet at the east property line and ten (10) feet at the west property line, to screen views of off-street parking with plantings of a size and type to produce a screening effect of eighty (80) percent opacity within one year;
2. Screening of refuse container site;
3. Lighting plan which demonstrates that any outdoor lighting will not trespass onto adjoining properties, a public street or into the night sky;
4. Ground sign must be masonry, monument- styles signs with a maximum height of six (6) feet.

The property is currently zoned Medium Density Residential (R-2). This request is in accordance with Section 10-8 of the Zoning Ordinance. Ms. Hudson seconded the motion and the vote was as follows:

<b>Betty Fletcher</b>	<b>Aye</b>
<b>Mary Hudson</b>	<b>Aye</b>
<b>John Horch</b>	<b>Aye</b>
<b>Christopher Lindsey</b>	<b>Aye</b>
<b>Ted Whitney</b>	<b>Aye</b>

**Motion Carried.**

**Other Business**

With no further business before the Board, Mrs. Fletcher adjourned the meeting at 5:50 P.M.

**Approved:**

  
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**Betty Fletcher, Chairperson**

**Attest:**

  
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**Sherri W. Blair, Recording Secretary**